

Kyle Knoeck, M.Sc.Pl., MCIP, RPP
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Etobicoke York
2 Civic Centre Court
Toronto, Ontario
M9C5A3

416-394-8060
coa.ey@toronto.ca

Thursday, August 31, 2023

**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number: A0288/23EYK
Property Address: 19 BRANCH AVE
Legal Description: PLAN 2172 E PT LOT 181
Agent: AMBIENT DESIGNS LTD.
Owner(s): ELIZABETH PORRITT
Zoning: RM (u4) (x2)
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, August 31, 2023, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a Triplex.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

- 1. Section 900.6.10(2)B(iii), By-law No. 569-2013**
The minimum required lot frontage is 18 m.
The lot frontage is 10.64 m.
- 2. Section 900.6.10(2)A(iii), By-law No. 569-2013**
The minimum required lot area is 555 m².
The lot area is 389.38 m².
- 3. Section 900.6.10(2)F(iii), By-law No. 569-2013**
The minimum required side yard setback is 3.0 m.
The new triplex will be located 1.2 m from the east side lot line.
- 4. Section 900.6.10(2)F(iii), By-law No. 569-2013**
The minimum required side yard setback is 3.0 m.
The new triplex will be located 2.6 m from the west side lot line.

5. Section 10.5.40.60.(1)(A)(i), By-law No. 569-2013

A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5 m if it is no closer to a side lot line than the required side yard setback of 3.0 m.

The proposed front porch encroaches 1.0 m into the required front yard setback and will be 2.6 m from west side lot line.

6. Section 10.5.40.50(2), By-law No. 569-2013

A platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 m of a building, must comply with the required minimum building setbacks of 3.0 m.

The proposed rear decks will be located 1.5 m from east side lot line.

7. Section 10.5.40.60.(7), By-law No. 569-2013

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.

The proposed eaves project 2.5 m and will be located 0.5 m from the east side lot line.

8. Section 10.5.40.60.(7), By-law No. 569-2013

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.

The proposed eaves project 1.1 m and will be located 1.9 m from west side lot line.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

1. Submission of a complete application for a permit to injure or remove a City-owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets.

2. Submission of a complete application for a permit to injure or remove a privately owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article III Private Tree Protection.

SIGNATURE PAGE

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Donald Taylor (signed)



Michael Clark (signed)



Michi McCloskey (signed)



Laura Alderson (signed)



Stan Kumorek (signed)

DATE DECISION MAILED ON: Friday, September 8, 2023

LAST DATE OF APPEAL: Wednesday, September 20, 2023

CERTIFIED TRUE COPY

Barbara Bartosik
Manager and Deputy Secretary-Treasurer

Appeal Information

Only the applicant, the Minister, or a specified person or public body that has an interest in the matter may appeal this decision.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.ey@toronto.ca and Barbara.Bartosik@toronto.ca by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal to the Ontario Land Tribunal (OLT) for the same matter.

A related appeal is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal should be submitted in accordance with the Ontario Land Tribunal (OLT) appeal instructions.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB, you must submit the following:

- A completed TLAB Notice of Appeal (Form 1).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary-Treasurer you will receive payment instructions.

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB website at www.toronto.ca/tlab.

ONTARIO LAND TRIBUNAL (OLT) APPEAL INSTRUCTIONS

To appeal this decision to the OLT, you must submit the following:

- A completed OLT Appellant Form (A1).
- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
- Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the Minister of Finance. If you would like to pay the fee by credit card, please indicate this on the appeal form and staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the OLT website at <https://olt.gov.on.ca/appeals-process/>